

Department of Public Safety - Commonwealth of Massachusetts

One Ashburton Place – Boston – MA 02108
Board of Elevator Regulations – Hearings
Minutes – June 4, 2013

PRESENT:

David Gaudet, Member
Thomas Riley, Member
Kevin McGettigan, Member

Walter Zalenski, Chairman, DPS
Cheri Davis, Member

Deborah Ho, Program Coordinator, DPS

ABSENT:

John O'Donoghue, Member

Harold McGonagle, Member

Michael Nicoloro, Member

- I. Meeting is called to order by Walter Zalenski, Chair at 1:00PM introduction of the board members –a quorum is present– Review minutes of May 7, 2013 and May 28, 2013 – Kevin McGettigan

II. **Kone Elevator – for MBTA – 1300 N. Shore Rd – Revere – New Product – 248-P-202, 203, 204**

Frank Mancuso, Kone, Inc.

Dave Gannon, Kone, Inc.

Gene Piermattei, Technical Code Coordinator, Department of Public Safety

The Petitioner is seeking a variance for an installation on three (3) units at the location of 1300 N. Shore Road – Revere of a new product Global Tardif – discussion on the product and its model – a motion has been put forth by Cheri Davis to grant the variance with provisions – *specific model Global Tardif (manufacturer) Model TSM 5053 – HV – CMR 524 – 13.01, 13.02, A171-2004 – 2.7.6 – A17-2004 ; 2.7.2.2.1/ 2.7.2.2 - *upon completion of the installation, Kone Elevator will contact the Board of Elevator Regulation and the Department of Public Safety for a site visit

Motioned by: Cheri Davis

Seconded by: David Gaudet

Vote: 5-0 Variance granted with provisions*

Absent: John O'Donoghue, Harold McGonagle, Michael Nicoloro

III. **CV 185 Franklin Management, LLC – 185 Franklin St – Boston – 1-P- 3949, 3950, 3951 & 3952**

Eric Morse, VDA

Gene Piermattei, Technical Code Coordinator, Department of Public Safety

The Petitioner is seeking a variance to relocate top terminal entrances from floor twelve (12) to floor six (6) – the elevators will be roped to prevent travel to the upper part of the hoistway. All limits will be re-located to the 6th floor and access switches will be moved to the 6th floor – A17.1-2004 – 2.11.6.2; 524 CMR 17.07 (5) (13) – related guide A17.2 -2-10 – 3.10.1; 3.16.1; 3.19.1; 3.23.1 – discussion by both the Board and Petitioner – Board has stated that more information will be needed to proceed with a decision – a motion has been put forth by Kevin McGettigan to place the case “on hold” for more information to be provided by the Petitioner within ninety (90) days; June 14, 2013

Motioned by: Kevin McGettigan

Seconded by: Tom Riley

Vote: 5-0 Variance “On Hold”

Absent: John O'Donoghue, Harold McGonagle, Michael Nicoloro

IV. Micozzi Management for 46 Elm St – Worcester – 348-P-309

Paul Lieneck, Haynes, Lieneck, & Smith, Inc.

Gregg Eaton, Micozzi Management

Paul Hasbrouck, Worcester Elevator

Exhibit 1 – Photographs (10)

Exhibit 2 – Inspector’s Report (1)

The Petitioner is seeking a variance/relief from the inspector’s report to comply with 524 CMR 17.01 (2) – fire rating a cage hoistway – one (1) hour fire rating and accept the use of a sheet metal cladding to equal a one (1) hour fire rated hoistway - the owner has requested an approval for their plans to fire proof the hoistway – during an annual inspection, the Inspector has required the owner to bring the elevator into compliance – a discussion with exhibit 1 – the existing building is registered with the National Registry as a historical building - a previous variance has been brought to the attention of the Petitioner – in which their petition had been denied for the same unit – a motion has been put forth by Kevin McGettigan to place the case “on hold” – an extension of sixty (60) days will be allowed* – the Petitioner will be given ten (10) days to address the prior variance of 2006 and its’ order to comply*

Motioned by: Kevin McGettigan

Seconded by: David Gaudet

Vote: 5-0 Variance “On Hold” with provisions*

Absent: John O’Donoghue, Harold McGonagle, Michael Nicoloro

V. Panera Bread – 1 Union St – Boston

Thomas Hannah, Lerch Bates

Alyssa McGrath, Lerch Bates

Exhibit 1 - Drawing

Exhibit 2 – Brochure – Gillespie Corporation

The Petitioner is requesting a variance for a new installation at 1 Union St – Boston – ASME A17.1-2004 – 3.4.4; 3.4.7 **Top Clearance** shall not be less than the sum of the following (2) items (a) the top car runby, (b) the height of the refuge space on the top of the cab – **Refuge Space on Top of Car Enclosure** – the minimum vertical distance in the refuge area between the top of the car enclosure and the horizontal place described by the lowest point of the overhead structure and other obstruction shall be not less than 43 inches when the car has reached its maximum upward movement - the elevator will not meet the required Elevator codes – the height of the cab enclosure is 7 feet; that leaves a total of 24 inches of overhead – the crosshead height if 7 feet 6 inches plus 3 inches over travel that leaves 15 inches from the top of crosshead to the top of the lowest point of the overhead structure – and is requesting a variance to reduce the overhead from 46 inches to 24 inches – a brief discussion – the installation will include a “Limited Overhead Safety System” - a motion has been put forth by Kevin McGettigan to grant the variance with provisions – exact number address of the location on the installation – the installation of “Limited Overhead Safety System” and a hoistway signage stating “Low Clearance”

Motioned by: Kevin McGettigan

Seconded by: Cheri Davis

Vote: 5-0 Variance granted with provisions*

Absent: John O’Donoghue, Harold McGonagle, Michael Nicoloro

VI. Harvard University – Teel Hall – 230 Western Ave – Boston – 1-P-7880

Bill Jemilo, ThyssenKrupp Elevator

Exhibit 1 – Photograph (1)

The Petitioner is seeking a relief on the Inspector's report – NEC 620.5 – working spaces shall be provided about controllers, disconnect means and other electrical equipment – the existing machine room is 5 feet 8 inches wide X 10 feet 11 inches deep – power unit/controller, 1-p-7880 (car 1) is located 32 inches into the machine room and 34 inches from the side wall – the main disconnect sits 7.5 inches deep off wall leave clearance of 23.5 inches between main line and power unit/controller – a request that a variance be granted for this existing conditions – Cheri Davis has been recused - a motion has been put forth by Kevin McGettigan to grant the variance from 524 CMR 7.03 – to allow clearance on existing conditions and electrical equipment

Motioned by: Kevin McGettigan

Seconded by: David Gaudet

Vote: 4-1 Variance granted – recused; Cheri Davis

Absent: John O'Donoghue, Harold McGonagle, Michael Nicoloro

VII. Queset House/Ames Free Library – 51 Main St – N. Easton – New Installation

James Thomas

Exhibit 1 – Photograph (1)

The Petitioner is seeking a variance of an installation – and is seeking a relief from 524 CMR 17.02.5 (a) ; Elevator machinery headroom; 7 feet – the Petitioner is seeking to install a LU/LA elevator and due to the options on the installation, the finished available headroom is 6 feet 5 ½" – a motion has been put forth by David Gaudet to grant the variance for the headroom of 6 feet 5 ½" – upon which a sign stating "Low Overhead" has been put up on the low clearance areas – A17.1 5.2-2004

Motioned by: David Gaudet

Seconded by: Kevin McGettigan

Vote: 5-0 Variance granted

Absent: John O'Donoghue, Harold McGonagle, Michael Nicoloro

VIII. Thomas Douglas Architects – 196 Pleasant St – Northampton – 214-L-299

Thomas Douglas, Thomas Douglas Architects

Alyssa McGrath, Lerch Bates

Gene Piermattei, Technical Code Coordinator, Department of Public Safety

The Petitioner is seeking a variance for an existing building structure and geological conditions – a variance has been requested to allow a 12" pit – when the buffer is fully compressed there is 3" from the pit flooring to the bottom of the car equipment – overhead clearance is 29 inches from the car top equipment to the hoistway ceiling at the top landing – a motion has been put forth by Kevin McGettigan to place the case "on hold" pending more information to be submitted to the Board of Elevator Regulation by the elevator company – an extension has been granted until July 31, 2013*

Motioned by: Kevin McGettigan

Seconded by: David Gaudet

Vote: 5-0 Variance "On Hold" with provisions*

Absent: John O'Donoghue, Harold McGonagle, Michael Nicoloro

Submitted by:

Deborah Ho
June 5, 2013